

Final Environmental Assessment for the Proposed U.S. Courthouse Harrisburg, Pennsylvania

Prepared by:
General Services Administration
20 North 8th Street
Philadelphia, PA
19107-3191

July 14, 2006



Appendix B



Pennsylvania Natural Diversity Inventory

Scientific information and expertise for the conservation of Pennsylvania's native biological diversity

DCNR, Bureau of Forestry

September 15, 2004

Shannon Miller
Greenhorne and O'Mara, Inc.
5000 Ritter Road, Suite 102
Mechanicsburg, PA 17055

RECEIVED
SEP 20 2004

Re: Pennsylvania Natural Diversity Inventory Review, **PER NO: 16684**
New Building within Harrisburg City Limits—site not specified
Harrisburg, Dauphin County

Dear Ms. Miller:

In response to your request on August 5, 2004 the Pennsylvania Natural Diversity Inventory (PNDI) information system was used to gather information regarding the presence of resources of special concern within the referenced site. PNDI records **indicate no known occurrences of plant species of special concern within the project area specified** therefore we do not anticipate any impact on endangered, threatened, or rare *plant* species at this location.

Because of the close proximity of the project to *species of special concern*, our office recommends that you contact of the PA Fish & Boat Commission and the PA Game Commission for recommendations on potential impact to endangered animals in the area.

Pennsylvania Fish and Boat Commission
Bureau of Fisheries and Engineering
450 Robinson Lane
Bellefonte, PA 16823
814-359-5113

Pennsylvania Game Commission
Wildlife Impact Review Coordinator
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
717-783-5957

This response represents the most up-to-date summary of the PNDI data files and is applicable for one year. However, an absence of recorded information does not necessarily imply actual conditions on site. A field survey of any site may reveal previously unreported populations. Should project plans change or additional information on listed or proposed species become available this determination may be reconsidered.

PNDI is the environmental review function of the Pennsylvania Natural Heritage Program and is a site-specific information system that describes significant natural resources of Pennsylvania. This system includes data descriptive of plant and animal species of special concern, exemplary natural communities and unique geological features. PNHP is a cooperative project of the Department of Conservation and Natural Resources, The Nature Conservancy, and the Western Pennsylvania Conservancy. Please phone this office if you have questions concerning this response or the PNDI system.

Sincerely,

Ellen M. Shultzabarger
Environmental Review Specialist

P: 717-772-0258—F: 717-772-0271

Western Pennsylvania Conservancy
209 Fourth Ave.
Pittsburgh, PA 15222
(412)288-2777
www.paconserve.org

Pennsylvania Dept. of Conservation and Natural Resources
Bureau of Forestry
P. O. Box 8552
Harrisburg, PA 17105-8552
(717)787-3444
www.dcnr.state.pa.us

The Nature Conservancy
208 Airport Drive
Middletown, PA 17057
(717)948-3962
www.tnc.org



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



August 2, 2005

RECEIVED
AUG 08 2005

Shannon Miller
Greenhorne & O'Mara, Inc.
5000 Ritter Road, Suite 102
Mechanicsburg, PA 17055

RE: USFWS Project # 2005-2374

Dear Ms. Miller:

This responds to your letter of July 15, 2005, requesting information about federally listed and proposed endangered and threatened species within the area affected by the proposed U.S. Courthouse located in Dauphin County, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

Except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the three proposed project areas. Therefore, no biological assessment nor further consultation under the Endangered Species Act are required with the Fish and Wildlife Service. This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office will be necessary. Also, should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

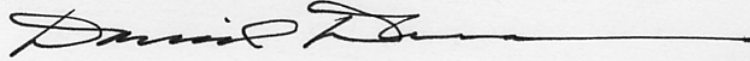
This response relates only to endangered or threatened species under our jurisdiction, based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

Requests for information regarding State-listed endangered or threatened species should be directed to the Pennsylvania Game Commission (birds and mammals), the Pennsylvania Fish and Boat Commission (fish, reptiles, amphibians and aquatic invertebrates), and the Pennsylvania Department of Conservation and Natural Resources (plants).

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

Please contact Pamela Spayd of my staff at 814-234-4090 if you have any questions or require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", followed by a long horizontal line extending to the right.

David Densmore
Supervisor

Enclosure

Federally Listed, Proposed, and Candidate Species in Pennsylvania
(revised July 27, 2004)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status¹</u>	<u>Distribution (Counties and/or Watersheds)</u>
MAMMALS			
Indiana bat	<i>Myotis sodalis</i>	E	Hibernacula: Armstrong, Blair, Fayette, Lawrence, Luzerne, Mifflin and Somerset Co. Maternity sites: Blair Co.
BIRDS			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Nesting: Armstrong, Berks, Butler, Centre, Chester, Crawford, Dauphin, Erie, Forest, Huntingdon, Lancaster, Lebanon, Lycoming, Mercer, Monroe, Montgomery, Northumberland, Pike, Tioga, Venango, Warren, Wayne and York Co. Winter: near ice-free sections of rivers, lakes and reservoirs (e.g., Delaware River, Pymatuning Reservoir)
Piping plover	<i>Charadrius melodus</i>	E	Migratory. No nesting in Pennsylvania since 1950s. Designated critical habitat on Presque Isle (Erie Co)
REPTILES			
Bog turtle	<i>Clemmys (Glyptemys) muhlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co. [Historically found in Crawford, Mercer and Philadelphia Co.]
E. massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co. [Historically found in Allegheny and Lawrence Co.]
MUSSELS			
Clubshell	<i>Pleurobema clava</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co.; Shenango River (Mercer and Crawford Co.) [Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Lawrence, Mercer, and Westmoreland Co.]
Dwarf wedgemussel	<i>Alasmodonta heterodon</i>	E	Delaware River (Wayne Co.). [Has not been found recently in streams of historical occurrence in the Delaware River watershed (Bucks, Carbon, Chester, Philadelphia Co.) or Susquehanna River watershed (Lancaster Co.)]
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co. [Has not been found recently in streams of historical occurrence, including: Shenango River (Lawrence Co.), Conewango Creek (Warren Co.)]

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status¹</u>	<u>Distribution (Counties and/or Watersheds)</u>
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MUSSELS

(continued)

Rayed bean	<i>Villosa fabalis</i>	C	French Creek and Allegheny River (Armstrong, Clarion, Crawford, Erie, Forest, Mercer, Venango, Warren Co.); Cussewago Creek (Crawford Co.). [Has not been found recently in 5 streams of historical occurrence in Armstrong, Lawrence, Mercer and Warren Co.]
Sheepnose	<i>Plethobasus cyphus</i>	C	Allegheny River (Forest and Venango Co.). [Has not been found recently in streams of historical occurrence, including: Allegheny River (Armstrong Co.), Beaver River (Lawrence Co.), Ohio River (Allegheny and Beaver Co.), and Monongahela River (Washington Co.)]

FISH

Shortnose sturgeon ²	<i>Acipenser brevirostrum</i>	E	Delaware River and other Atlantic coastal waters
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PLANTS

Northeastern bulrush	<i>Scirpus ancistrochaetus</i>	E	Adams, Bedford, Blair, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder, Tioga, and Union Co. [Historically found in Northampton Co.]
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Centre, Chester, and Venango Co. [Historically found in Berks, Greene, Monroe, Montgomery and Philadelphia Co.]

¹ E = Endangered; T = Threatened; P = Proposed for listing; C = Candidate

² Shortnose sturgeon is under the jurisdiction of the National Marine Fisheries Service



Pennsylvania Fish & Boat Commission

RECEIVED
AUG 12 2005

Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620
(814) 359-5237 Fax: (814) 359-5175

August 10, 2005

IN REPLY REFER TO
SIR # 20325

GREENHORNE AND OMARA
SHANNON MILLER
5000 RITTER ROAD, SUITE 102
MECHANICSBURG, PA 17055

RE: Species Impact Review (SIR) - Rare, Candidate, Threatened and Endangered Species
SITE FOR NEW U.S. COURTHOUSE
CITY OF HARRISBURG Township/Borough, DAUPHIN County, Pennsylvania

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code. The absence of recorded information from our files does not necessarily imply actual conditions on site. Future field investigations could alter this determination. The information contained in our files is routinely updated. A Species Impact Review is valid for one year only.

X NO ADVERSE IMPACTS EXPECTED FROM THE PROPOSED PROJECT

Except for occasional transient species, rare, candidate, threatened or endangered species under our jurisdiction are not known to exist in the vicinity of the project area. Therefore, no biological assessment or further consultation regarding rare species is needed with the Commission. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

X An element occurrence of a rare, candidate, threatened, or endangered species under our jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

If you have any questions regarding this review, please contact the biologist indicated below:

<u> </u> Jeff Schmid 814-359-5236	<u> </u> J.R. Holtmaster 814-359-5194
<u>X</u> Chris Urban 814-359-5113	<u> </u> Bob Morgan 814-359-5129

I am enclosing a copy of our "SIR Request Form", which is to be used for all future species impact review requests. Please make copies of the attached form and use with all future project reviews. Thank you in advance for your cooperation and attention to this important matter of species conservation and habitat protection.

SIGNATURE: _____

Christopher A. Urban
Chief, Natural Diversity Section

DATE: August 10, 2005

Our Mission:

www.fish.state.pa.us

To provide fishing and boating opportunities through the protection and management of aquatic resources.

COMMONWEALTH OF PENNSYLVANIA
FISH AND BOAT COMMISSION
 NATURAL DIVERSITY SECTION
SPECIES IMPACT REVIEW (SIR) REQUEST FORM

- A. This form provides the site information necessary to perform a computer database search for species of special concern listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, the Pennsylvania Fish and Boat Code or the Wildlife Code.
- B. Use only *one form* for each proposed project or location. Complete the information below and mail form to:

Natural Diversity Section
 Division of Environmental Services
 PA Fish and Boat Commission
 450 Robinson Lane
 Bellefonte, PA 16823
 Fax: (814) 359-5175

- C. This form, a cover letter including a project narrative, and accompanying maps should be sent to the above address for environmental reviews that *only* concern *reptiles, amphibians, fishes and aquatic invertebrates*. Reviews for other natural resources must be submitted to other appropriate agencies.
- D. The absence of recorded information from our databases and files does not necessarily imply actual conditions on site. Future field investigations could alter this determination. The information contained in our files is routinely updated. A review is valid for one year.
- E. *Please send us only one (1) copy of your request*—either by fax or by mail—not both. Mail is preferred to improve legibility of maps. Facsimile submission will not improve our response turn-around time.
- F. *Allow 30 days for completion of the review from the date of PFBC receipt*. Large projects and workload may extend this review timeframe.
- G. *In any future correspondence with us following your receipt of the SIR response, please refer to the assigned SIR number at the top left of our cover letter.*
- H. **FORMS THAT ARE NOT COMPLETED IN FULL WILL NOT BE REVIEWED.**

PLEASE PRINT OR TYPE: If available, provide the potential conflict PNDI Search Number: _____

PFBC response should be sent to: _____

Company/Agency: _____ Form Preparer: _____

Address: _____

Phone (8:00 AM to 4:00 PM): _____

Project Description: _____

Indicate if the project is: Transportation ☐ or Non-transportation ☐ (check one)

Will the proposed project encroach directly or indirectly (e.g., runoff) upon wetlands or waterways? Circle one for each:

Wetlands: Yes No Unknown Waterways: Yes No Unknown

County: _____ Township/Municipality: _____

Name of the United States Geological Survey (U.S.G.S.) 7.5 Minute Quadrangle Map where project is located: _____

Project size (in acres): _____

Attach an 8.5" by 11" photocopy (**DO NOT REDUCE**) of the section of the U.S.G.S. Quadrangle Map which identifies the project location. On this map, indicate the location of the project center (if linear, depict both ends) and outline the approximate boundaries of the project area.

Specify latitude/longitude of the project center. Latitude: _____° / _____' / _____" N

Indicate latitude/longitude in degrees-minutes-seconds format only. Longitude: _____° / _____' / _____" W

Three steps are needed to convert from decimal degrees to degrees-minutes-seconds: (1) Degrees will be the whole number. (2) To get minutes, multiply the decimal degree portion by 60. (3) Multiply the decimal minute portion by 60 to get seconds.

Example: (Latitude) $40.93748 = 40^{\circ}$; $0.93748 \times 60 = 56.2488' = 56'$; $0.2488 \times 60 = 14.928 = 15'' = 40^{\circ}56'15''$ N

(Longitude) $75.94740 = 75^{\circ}$; $0.94740 \times 60 = 56.844' = 56'$; $0.844 \times 60 = 50.64 = 51'' = 75^{\circ}56'51''$ W

FOR PFBC USE ONLY

SIR#	Quad Name	Data Source	Search Result-Potential Species Conflict	Action

RECEIVED

AUG 25 2005



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION

2001 ELMERTON AVENUE, HARRISBURG, PA 17110-9797

August 17, 2005

Ms. Shannon N. Miller
Greenhorne & O'Mara Inc.
5000 Ritter Road, Suite 102
Mechanicsburg, PA 17055

Re: New U.S. Courthouse
Three Potential Site Locations
Harrisburg City Limits, Dauphin County, PA

Dear Ms. Miller:

This is our response to your letter dated July 12, 2005, requesting information concerning state listed special concern species of birds and mammals and State Game Lands as related to this project.

We have completed an office review of the proposed project and determined that it is not located within the boundary line of any State Game Lands. Also, we have determined that the proposed project should not have any adverse impacts on state listed bird and mammal species. Should project plans extend beyond the present study area, or if additional information on endangered or threatened species of birds or mammals becomes available, this review may be reconsidered. This reply relates only to endangered and threatened species and does not address other concerns of the Pennsylvania Game Commission.

The Department of Conservation and Natural Resources has developed a new Pennsylvania Natural Diversity Inventory Environmental Review tool that is now available for use (see attached). The new site replaces the old system that will be shut down in the near future. The new site should be used for the initial review of species of special concern under the jurisdiction of the Pennsylvania Game Commission. The project is cleared for species of special concern by the Pennsylvania Game Commission if search results do not indicate any potential impacts listed for our agency. If State Game Lands are listed as a conservation measure you should contact the Pennsylvania Game Commission and provide the information indicated on the PNDI search results. The Pennsylvania Game Commission no longer requires you to directly contact our agency when no potential impacts are listed by the search results.

ADMINISTRATIVE BUREAUS:

PERSONNEL: 717-787-7836 ADMINISTRATION: 717-787-5670 AUTOMOTIVE AND PROCUREMENT DIVISION: 717-787-6594
LICENSE DIVISION: 717-787-2084 WILDLIFE MANAGEMENT: 717-787-5529 INFORMATION & EDUCATION: 717-787-6286 LAW ENFORCEMENT: 717-787-5740
LAND MANAGEMENT: 717-787-6818 REAL ESTATE DIVISION: 717-787-6568 AUTOMATED TECHNOLOGY SYSTEMS: 717-787-4076 FAX: 717-772-2411

WWW.PGC.STATE.PA.US

AN EQUAL OPPORTUNITY EMPLOYER

Ms. Shannon N. Miller

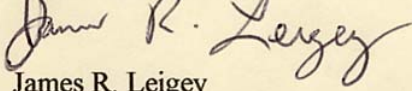
-2-

August 17, 2005

If you need further clarification on this change you can contact the Pennsylvania Game Commission at the phone number listed below.

If you have any questions, please contact me at (717) 783-5957.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James R. Leigey". The signature is fluid and cursive, with the first name "James" and last name "Leigey" clearly distinguishable.

James R. Leigey
Wildlife Impact Review Coordinator
Division of Environmental Planning
And Habitat Protection
Bureau of Land Management

JRL/pfb

Attachment

Cc: File



Pennsylvania Natural Heritage Program

PNDI Project Planning and Environmental Review Tool NOW AVAILABLE!

Effective: July, 2005

www.naturalheritage.state.pa.us

The Pennsylvania Natural Heritage Program is pleased to inform you about the new Pennsylvania Natural Diversity Inventory (PNDI) Project Planning and Environmental Review Tool (ER Tool). The ER Tool is a user-friendly interface that enables the public to perform online PNDI searches for potential impacts to special concern species and resources in PA. Anyone including property owners, consultants, project planners and PA DEP or PA CCD staff can access the tool for PNDI project screening.

How to Access the Tool

The online PNDI Environmental Review and Project Planning Tool can be accessed at www.naturalheritage.state.pa.us. Click on "PNDI Project Planning Environmental Review" in the bottom left corner of the site. Follow this link to access the ER Tool and for step-by-step instructions on using the ER Tool, FAQ's and to access the PNDI Form

If the user does not have Internet access, DEP staff can perform searches for them as part of their permit application process. The DEP permit applications and plan approval packages affected by this policy include instructions and search request forms to assist applicants with PNDI searches. If the user is not actively applying for a DEP permit and does not have Internet access, the user can follow the Large Project instructions detailed below for project review.

PNDI Coordination

When submitting your permit application to DEP or during the project pre-planning phase, perform the PNDI project review search online, print the results from the search (called "PNDI Environmental Review Receipt") and follow the instructions on the receipt. In order to adequately provide for the protection of special concern species and resources while reducing the number of false hits when conducting PNDI searches, it is important that the correct project area and type is entered into the PNDI Environmental Review Tool.

PNDI Receipt

The PNDI Project Environmental Review Receipt is the official documentation needed to show completion of PNDI coordination and the Internet search effort. Receipts are NOT automatically submitted from the ER Tool to DEP or the species of special concern Jurisdictional Agencies. The person conducting the online search (or the applicant) must print and mail/fax a "No Impact" receipt to DEP with your permit application or a "Potential Impact" Receipt to the Jurisdictional Agencies noted on the Receipt for further review.

The following are explanations of search results found on the ER Receipt:

"No Impact" Receipt—No further coordination required with PNDI jurisdictional agencies within one-year of Receipt date unless project plans change. Print the receipt and send it in with DEP permit application or environmental assessment.

"Potential Impact" Receipt—The applicant must consult with the jurisdictional agency/agencies noted on the receipt for further review of the project. Please send the information requested on the receipt to the agency/agencies noted. The applicant will receive recommendation or clearance letters from the agency/agencies, which then should be turned in for DEP permits along with the ER Receipt. Please see below for Potential Impact Receipts with Avoidance and/or Conservation Measures.

Potential Impact Receipt with Avoidance Measures

Avoidance Measures are intended to reduce the need for further coordination with Jurisdictional Agencies on projects that could be "No Impacts" if Avoidance Measures are carried out. If the Receipt contains Avoidance Measures, the PNDI review is not complete or satisfied until the applicant has initialed indicating they can and will fulfill the Avoidance Measures for that project. If an Avoidance Measure cannot be met or if the applicant chooses not to fulfill it, the project is treated as a "Potential Impact" and must be sent to the Jurisdictional Agency indicated for further review. In the latter case, a clearance or recommendation letter will be required from the jurisdictional agency/agencies indicated, along with the ER Receipt, for submission with DEP permit applications.

Both Potential Impacts and Avoidance Measures may occur for the same project with the same or different Jurisdictional Agencies.

- o If a Potential Impact is listed after the Avoidance Measures on the Receipt for the SAME Jurisdictional Agency, there are two or more special concern species or resources in the vicinity and the Avoidance Measures only cover some, but not all, of the species or resources in the project vicinity. The project must be forwarded on to the Jurisdictional Agency listed on the Receipt after the Avoidance Measure for clearance. The Receipt should be initialed beside the Avoidance Measure if the measure can and will be met before submitting the permit application to DEP.
- o If there is an Avoidance Measure for one Jurisdictional Agency and a Potential Impact listed for a different agency, then the Avoidance Measure must be initialed (if the measure can be fulfilled) and the project should be forwarded to the other Jurisdictional Agency/Agencies for clearance or recommendation letters.

Potential Impact Receipt with Conservation Measures

Conservation Measures are suggestions meant to reduce further impact to the special concern species or resource in the vicinity of the project or to protect special concern species or resources that currently lack legal protection. If the Receipt contains a Conservation Measure, that measure can be pursued at the discretion of the DEP program based on their knowledge of the project and site. Conservation Measures are strongly recommended by the Jurisdictional Agencies but are not required.

Early Coordination

Because the Environmental Review Tool is easily accessible to the public, it is recommended that PNDI coordination be completed prior to project development and submission of any permit applications. During instances when the PNDI search indicates potential impacts, early consultation with the proper special concern species or resource jurisdictional agencies (preferably prior to plan development) is crucial. Early consultation not only minimizes associated delays and cost, but also facilitates the integration of more effective conservation measures into project planning.

Large Projects

Some projects are too large to be drawn in the PNDI Environmental Review Tool and are therefore called "Large Projects". Projects are considered a "Large Project" when they are:

- Linear/Large Projects that exceed map limits: approximately 2-2.84 miles depending on browser size
- Projects that will not fit on a 1:24,000 scale map in the PNDI ER Tool. Project Maximums:
1024 x 768 browsers: 2625 acres; 15,000 feet long x 7600 feet wide; approximately 2.84 miles
800 x 600 browsers: 1050 acres; 11,000 feet long x 4000 feet wide; approximately 2 miles
- Township-wide, Countywide or Statewide Projects. Examples: Act 537 Sewage Plans, Wind Farms, Roadway Improvements exceeding map limits above.

For review of a "Large Project", please forward a completed PNDI Form (found on the PNHP website) and a copy of the appropriate USGS 7.5 minute quadrangle with project boundaries and quad name marked on the map to DCNR, PFBC, PGC, and USFWS. Due to system limitations and agency requirements, projects should not be submitted piecemeal. The entire project area including roads and infrastructure should be submitted as a single unit.

Dept. of Conservation and Natural Resources
Bureau of Forestry, Ecological Services Section
400 Market St., PO Box 8552
Harrisburg, PA 17105
fax: 717-772-0271

PA Game Commission
Bureau of Land Management
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
fax: 717-787-6957

PA Fish and Boat Commission
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823
fax 814-359-5175

US Fish and Wildlife Service
Endangered Species Biologist
315 South Allen St., Suite 322
State College, PA 16801
no faxes please

QUESTIONS?

Technical Questions or Difficulty: RA-HeritageGIS@state.pa.us or for Procedural Questions: RA-HeritageReview@state.pa.us



PNHP is a partnership between The Department of Conservation and Natural Resources, The Nature Conservancy and the Western Pennsylvania Conservancy, and in cooperation with the Pennsylvania Game Commission, the U.S. Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission.



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

June 10, 2005

Mary Ann Dobbins
Abigail Low
General Services Administration
20 N. 8th Street
Philadelphia, PA 19107-3191

**TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER**

Re: ER 04-3163-043-B
GSA: Proposed New Federal Courthouse
Harrisburg, Dauphin County

Dear Ms. Dobbins and Low:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

Thank you for meeting with us yesterday to discuss the status of the project site selection study. We look forward to working with your agency in the evaluation of alternatives and in the design a historic preservation sensitive courthouse.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

Susan M. Zacher for
Douglas C. McLearn, Chief
Division of Archaeology &
Protection

cc: Hector M. Abreau Cintron, ACHP
DCM/snz



GSA Mid-Atlantic Region

Ms. Jean Cutler, Director
Bureau for Historic Preservation
Pennsylvania Historical and Museum Commission
Commonwealth Keystone Building, 2nd floor
400 North Street
Harrisburg, PA 17120

JUL 5 2005

Re: ER 04-3163-043-B
Proposed New Federal Courthouse
Harrisburg, Dauphin County, Pennsylvania

Dear Ms. Cutler:

This is to thank you, and Ms. Susan Zacher of your staff, for taking the time to meet with us on June 9, 2005 to discuss the captioned project. As explained, the General Services Administration (GSA) proposes to construct a United States Courthouse in Harrisburg, Pennsylvania. This project involves the acquisition of a site and the design and construction of an approximate 263,000 gross square foot Courthouse, including 40 inside parking spaces. The proposed Courthouse will satisfy the 10-year requirements of the Courts and Court-related agencies and the site will be large enough to accommodate future year requirements.

Specifically, the proposed Courthouse will provide a total of 8 courtrooms (4 District, 2 Magistrate, and 2 Bankruptcy) to house 3 District judges, 2 Senior District judges, 2 Magistrate judges, 2 Bankruptcy judges, and a visiting District judge plus satisfy all necessary security requirements. Additionally, the Courthouse will provide housing for the U.S. Attorneys, U.S. Marshals Service, and the U.S. Trustees.

The 14-story Ronald Reagan Federal Building and U.S. Courthouse (FBCT), constructed in 1966, is located at 228 Walnut Street, in the Harrisburg central business district. Currently, the FBCT houses the District Court for the Middle District of Pennsylvania, Court-related agencies, several executive branch agencies, the United States Postal Service and the GSA.

The FBCT, originally designed to include only two District courtrooms, cannot meet the necessary security and circulation requirements specified in the U.S. Courts Design Guide (USODG), the U.S. Marshal's Design Guide and the GSA Building Security Criteria. In the mid 1990's, as a result of the Court's

U.S. General Services Administration
The Strawbridge's Building
20 North Eighth Street
Philadelphia, PA 19107-3191
www.gsa.gov

burgeoning caseload, four courtrooms, including Magistrate and Bankruptcy courtrooms, were added to the original two in the FBCT. However, these alterations were never meant to serve as a permanent solution. The two added District courtrooms are undersized and columns block sight lines. The Magistrate and Bankruptcy courtrooms do not meet minimum USCDG standards. secure circulation cannot be developed, and the building cannot structurally accommodate any additional courtrooms.

As explained during our meeting, GSA began the site investigation process in 2004 with public advertisements soliciting sites. In addition, meetings were held with local government officials to identify potential locations for the Courthouse. Unless compelling justification is demonstrated otherwise, GSA as a matter of policy locates Courts and Court-related agencies downtown, in close proximity to other City, County, State and Federal government facilities. Using an established set of criteria, including such factors as site costs, lot size and shape (ability to accommodate a Courthouse that satisfies the CDGC), perimeter setback and other security requirements, each site was thoroughly evaluated.

During this process a total of 20 potential sites were identified and in May 2005 the list of potential sites was narrowed down to three sites for final consideration. The three sites which are a result of the screening process are identified as:

- Site B An approximately 3.6 acre site, bounded by Green Street to the west, North 3rd Street to the east, Forster Street to the north, and North Street to the south.
- Site T An approximately 6.36 acre site, bounded by North 6th Street to the west, the Pennsylvania Higher Education Assistance Agency (PHEAA) property to the east, Basin Street to the north, and the Benjamin Franklin Elementary School to the south.
- Site V An approximately 6.03 acre site, bounded by Capital Street to the west, North 6th Street to the east, Verbeke Street to the north, and Herr Street to the south.

Pursuant to the requirements of the National Environmental Policy Act (NEPA), GSA will prepare an Environmental Assessment (EA) for the proposed action. To initiate the EA process, GSA will hold Public scoping meetings on Thursday, July 14, 2005, at two locations in downtown Harrisburg. The locations and meeting times are as follows:

Hamilton School Gymnasium
1701 North 6th Street, Harrisburg, PA
Meeting time: 8:30-10:30 AM

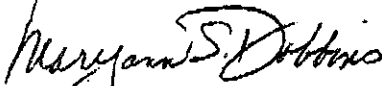
Hilton Harrisburg Hotel
Juniata and Allegheny Meeting Rooms
One North 2nd Street, Harrisburg, PA
Meeting Time: 1:00-3:00 PM and 6:00-8:00 PM

The purpose of the scoping meetings are to allow members of the community, interested agencies, and the general public an opportunity to assist GSA in identifying potential impacts, and significant issues or concerns related to developing the sites. These meetings will be informal sessions where visitors may come, receive information, and give both written and oral comments so that they can be considered in the planning process.

The intent of this letter is to recap our June 9th meeting and to officially request the Pennsylvania Historic and Museum Commission's participation in the Section 106 Review process for the Courthouse project, pursuant to the provisions found at 36 CFR Part 800. We will continue to work with your office to identify the areas of potential effect (APE), and to assess the potential for impacts to historic resources. A Cultural Resource Assessment will be completed for the three proposed sites, and the draft will be sent to your office for review and comment. As we continue to evaluate the three sites we will provide your office with other detailed information as it becomes available, and updates on the status of the project.

We look forward to working with your office on this project and want you to know that we welcome your thoughts and recommendations. Please let us know of any concerns you may have at this stage of the project. I can be reached by phone at (215) 446-4649 or by email at Maryann.Dobbins@gsa.gov.

Sincerely,



Maryann S. Dobbins
Regional Historic Preservation Officer

Cc: Susan M. Zacher

Héctor M. Abreu Cintrón
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW
Washington, DC 20004



GSA Mid-Atlantic Region

William W. Allis, Jr.
President, Capitol Area Neighbors
115 Locust Street
Harrisburg, Pennsylvania, 17101

AUG 12 2005

Dear Mr. Allis:

Ms. Abigail Low, the General Services Administration's (GSA's) Project Manager for the U.S. Courthouse project proposed for Harrisburg, Pennsylvania has asked me to respond to your letter of July 17, 2005 submitted on behalf of the Capitol Area Neighbors Association.

Although many factors come into play to choose the most suitable site on which to construct a large federal building, the impact on the surrounding built environment is of particular concern to GSA. Therefore, please be assured that should GSA select the Third and Forster site for the Courthouse, the Capitol Area Neighbors Association would be officially designated a consulting party to the Section 106 Review process pursuant to the provisions of the National Historic Preservation Act.

Thank you for your interest in this project. We welcome your comments and would be happy to address any concerns you may have at this stage of the project. If you have any questions please don't hesitate to call me. My telephone number is 215-446-4649, and my email address is Maryann.Dobbins@gsa.gov.

Sincerely,

Maryann S. Dobbins
Regional Historic Preservation Officer

Cc: Susan Zacher
Pennsylvania Historical and Museum Commission

U.S. General Services Administration
The Strawbridge's Building
20 North Eighth Street
Philadelphia, PA 19107-3191
www.gsa.gov



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

December 5, 2005

Abby Low
General Services Administration
20 N. 8th Street
Philadelphia, PA 19107

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: ER 04-3164-043-E
GSA: Proposed New Federal Courthouse
Harrisburg, Dauphin County
Draft Determination of Eligibility and Effects Report

Dear Ms. Low:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

We are in receipt of the draft eligibility and effects report for the proposed federal courthouse project in Harrisburg. The report and documentation is not adequate for the evaluation of the National Register eligibility of resources in the Area of Potential Effect of this project, nor is the report sufficient to evaluate the effect of this proposed building on listed and eligible resources.

Survey and National Register Evaluations:

1. Quaker Meeting House: The historic background information supplied for the Quaker Meeting House at 6th and Verbeke Streets is inadequate. To eliminate this resource from evaluation under the National Register Criteria Consideration A without an understanding of the resources history, development and architectural significance is not acceptable. In addition the information for this property must be submitted on an unbound copy of the Bureau for Historic Preservation Historic Resource Survey form. This original should include photography of both the exterior and interior of the building with information as to changes made since its construction in c.1954. A U.S.G.S quadrangle map location for this building must be included with the form.

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A. Low
Dec. 5, 2005

2. Bethesda Mission House: Specific historical background of this site needs to be included as well as a detailed architectural description. Also address changes to the building over time. Please address its history as the railroad workers YMCA and its current expanded usage in 1934. Address the context of railroad YMCA's in the Commonwealth. Please supply this information on a separate BHP Historic Resource survey form with original exterior and interior photographs. Historic photographs of the facility will also be helpful in assessing any changes to the building over time. A U.S.G.S quadrangle map location for the building must be included with the form.

We would be unable to concur with the effect findings in the draft report based on the information supplied. Elevation drawings and height affect assessments for the surrounding historic resources are required. The basis for the effect findings must be based on more concrete information as to the size, scale and location of the building on the site and its orientation.

In addition, since this is a very controversial project this report is inadequate in addressing the affects of the project on cultural resources. We are aware that public meetings have been held and consulting parties have been solicited. The effect report must include an accounting of this participation and include all comments from the public and consulting parties.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,



Douglas C. McLearn, Chief
Division of Archaeology &
Protection

DCM/snz